

**Lincoln, Nebraska  
February 12, 2010**

**COMMUNITY CORRECTIONS COUNCIL  
*MEETING MINUTES***

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The Community Corrections Council (Council) met Friday, February 12, 2010, at Bryan LGH College of Health Sciences, Room 204, Lincoln, Nebraska. The meeting was open to the public and was preceded by advance publicized notice in the Lincoln Journal Star.

**Members present:**

Scot Adams, Chair  
Mike Behm  
Esther Casmer  
Jeff Davis  
Eleanor Devlin  
Ellen Fabian Brokofsky  
Karen Flowers  
Cathy Gibson-Beltz  
Robert Houston  
John P. Icenogle, Vice-Chair  
Joe Kelly  
Robert Lindemeier  
Travis Parker  
Pete Pirsch  
Janice Walker

**Others present:**

Eric Asboe  
Robert Bell  
Scott Carlson  
Carl Chong  
Joan Dietrich  
Mike Dunkle  
Steve King  
John Krejci  
Shelisa Minnifield  
Mike Myers  
Mike Overton  
Steve Rowoldt  
Marge Schlitt  
Julie Scott  
Dawn-Renee Smith  
Larry Wayne

**Members absent:**

Brenda Council  
Thomas Dorwart  
Darrell Fisher  
Frank Peak  
Dallas Massey

**Council Staff present:**

Linda Krutz, Executive Director  
Jeff Beaty, Policy Analyst  
Tia Bachman, Admin. Assistant

## **CALL TO ORDER, WELCOME, & OVERVIEW**

John Icenogle, Vice-Chair, District Court Judge, called the Council meeting to order at 8:45 a.m., announced the meeting is subject to the Open Meetings Act and gave an overview of the meeting. Attendance is indicated above.

## **PUBLIC COMMENT**

John Krejci, Emeritus Professor of Sociology and Social Work, and writer for the Nebraska Criminal Justice Review, discussed an article from the Nebraska Criminal Justice Review titled 'Long-term inmates, parole and our neighborhoods'.

Scot Adams arrived at 8:47 a.m.

## **APPROVAL OF MINUTES**

The December 18, 2009 meeting minutes were approved as presented.

## **LEGISLATIVE UPDATE**

Jeff Beaty, Policy Analyst, Council, gave an update on the Legislative Bills (LB) affecting the Council.

LB868, introduced by Speaker Flood, increases community service options for offenders sentenced to probation. The bill would allow cities and private businesses to establish a nonprofit community service program. LB868 also expands the administrative sanctions options for offenders that have technical violations while on probation.

LB955, introduced by Senator Giese, authorizes the County Attorney to collect reimbursement for the cost of incarceration for offenders sentenced to jail or prison. Inmates would fill out a form describing their financial status, and if they have sufficient resources, would have to pay up to \$12,000 per year for their incarceration.

Shelisa Minnifield, Legislative Aide to Senator Council, discussed LB913 which prohibits asking for felony convictions on government employment applications. The applicant's criminal history would be allowed to be considered at a later stage of the interview process.

Pete Pirsch, District 4 Senator, discussed LB 864 created as a result of the LR171 Sentencing and Recidivism Task Force. LB 864 is the first recommendation of the Task Force and adds a provision to the Community Corrections Act requiring the Council to collaborate with Probation, Parole, and the Department of Correctional Services (DCS) on the development of a plan for implementation and funding of additional Reporting Centers in Nebraska. The plan would include recommended locations and prioritization for at least one Reporting Center in each judicial district that currently lacks a center. The plan will be submitted by December 1, 2010 and implemented as state funding allows. LB864 is co-sponsored by all Senators on the Task Force.

Karen Flowers and Esther Casmer arrived at 9:07 a.m.

Beaty then discussed LB800, introduced by Senator Ashford, which will procure \$343,000 of interest from the Probation Program Cash Fund which currently funds the Reporting Centers, Problem-Solving Courts, and the Fee for Service Voucher Program. LB800 would use the funds to provide juvenile truancy programs and further fund the Office of Violence Prevention.

During the 2009 legislative session, \$350,000 was procured from the Uniform Data Analysis Cash Fund to form the Office of Violence Prevention.

#### **COMMUNITY CORRECTIONS PLANNING GROUP**

Linda Krutz, Executive Director of the Council, and Beaty, gave an update on the Community Corrections Planning Group. The planning group met on January 4 & 19, 2010, and February 1, 2010. The Criminal Justice Continuum and the Offender Matrix were presented for endorsement by the Council.

*A motion was made by John Icenogle and seconded by Travis Parker to endorse the Criminal Justice Continuum and Offender Matrix. Roll call was conducted and the motion passed unanimously.*

Planning group members will continue to develop the integrated work plan and present it at the March 19, 2010 Council meeting.

A 15 minute break was called by Adams.

Pete Pirsch and Janice Walker exited the meeting at 9:45 a.m.

The Council reconvened at 10:01 a.m.

#### **UNIFORM DATA CONTRACT PROGRAMS UPDATE**

Donna Hasse, Information Systems Specialist, Probation Administration and Carl Chong, Contract Programmer, Probation Administration, presented an update on the Nebraska Probation Application for Community Safety (NPACS) system funded by the Uniform Data Analysis Fund.

Ellen Fabian Brokofsky, Probation Administrator, requested \$84,072 from the Probation Program Cash Fund to complete the projects outlined in the fiscal year (FY) 09-10 contract.

*A motion was made by Joe Kelly and seconded by Cathy Gibson-Beltz to approve the request for \$84,072 from the Probation Program Cash Fund to complete projects on the Nebraska Probation Application for Community Safety system outlined in the FY 09-10 contract. Roll call was conducted and the motion passed unanimously.*

## **RESPONSE TO LB800**

Karen Flowers, District Court Judge, in response to LB800 and the proposed \$343,000 from the Probation Program Cash Fund, requested a letter be sent to Senator Ashford to inform him of the purpose of the Council and the sustainability of the Probation Program Cash Fund. After discussion, Council members agreed the legislature should be informed of the history, goals, and sustainability of the Probation Program Cash Fund.

*A motion was made by Joe Kelly and seconded by Bob Lindemeier to request Council staff inform the legislature in writing or in person, highlighting the history and goals of the Council. The letter will be emailed to all Council members for approval prior to being sent to the legislature. Roll call was conducted and the motion passed unanimously.*

## **COMMUNITY CORRECTIONS COUNCIL FINANCIAL REPORT**

Bruce Ayers, Chief Financial Officer, Nebraska Commission on Law Enforcement and Criminal Justice (NCC), presented the *Community Corrections Council Financial Report*. The Criminal Justice Information System (CJIS) - Nebraska Criminal Justice Information System (NCJIS) modifications totaling \$7,800, is removed from the UDAF Allocations, leaving a total of \$76,272 of over-allocated funds. The approved motion allocating \$84,072 from the Probation Program Cash Fund nullifies this amount.

## **TARGET POPULATION REPORT & COMMUNITY CORRECTIONS PROGRAMS REPORT**

Mike Dunkle, Systems Analyst, NCC, presented the *Target Population Report, Year End December 2009*. Total DCS, Parole, and Probation admissions for 2009 are down compared to admissions in 2008. Felony Drug Offenders (FDO) admissions to Parole, Probation, and sentenced to three years or less are also down.

Dunkle then presented the *Community Corrections Programs 2009 Year End Report*. Specialized Substance Abuse Supervision (SSAS) is operating at 110 percent capacity and has increased by 84 participants since 2008. An area of concern was noted in District six (Dakota, Cedar, and Dodge counties) and District nine (Buffalo and Dawson counties) for their lower capacities. Districts two (Sarpy, Cass, and Otoe counties), three (Lancaster county), and four (Douglas county) have been operating at above capacity.

Fabian Brokofsky said the lower capacity in District nine may be contributed to the low amount of filings in Dawson County and District six may be due to fewer arrests. A reduction in available SSAS officers and a hiring freeze can also be attributed to the high levels of capacity in Districts two, three, and four.

Dunkle said Nebraska Adult Drug Courts served over 336 new adult cases in 2009. Lancaster County Adult Drug Court was the only Problem Solving Courts (PSC) operating above 100 percent capacity. Dodge County Adult Drug Court increased their capacity from 15 to 30 by hiring an additional supervision officer which lowered their capacity to 58 percent.

In comparison, the PSC were operating at 68 percent in 2009 versus 73 percent in 2008. Northeast (Madison County) Nebraska Adult Drug Court lost a supervision officer which increased the utilized capacity from 68 percent in 2008 to 90 percent in 2009.

#### **ADULT DRUG COURT / SSAS SURVEY**

Dunkle presented a second draft of the Adult Drug Court and SSAS survey. Flowers will email suggested changes for the document to Dunkle. A finalized comparison will be presented at the March 19, 2010 Council meeting.

#### **WORK ETHIC CAMP REPORTING CENTER**

Bob Houston, Director of DCS, discussed a Reporting Center at the Work Ethic Camp (WEC) in McCook scheduled to open on October 1, 2010 for parolees. Currently, inmates that have a parole hearing set or are eligible for parole can be placed at WEC for a five to six month residential program.

#### **GRANT SUPPORT REQUESTS**

Due to time constraints, the Grant Support Request discussion was tabled until the March 19, 2010 meeting.

#### **ADJOURNMENT**

There being no further business, at 11:50 a.m. the meeting was adjourned.

The next scheduled meeting is Friday, March 19, 2010, at Bryan LGH College of Health Sciences, Room 203. The meeting will begin at 9:00 a.m.

Respectfully submitted,

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Tia M. Bachman  
Administrative Assistant